

REMARKS

Claims 21, 24-29 and 31 remain in the application.

The Rejections:

In the Office Action dated August 4, 2010, the Examiner rejected Claims 21, 24-29 and 31 under 35 U.S.C. 103(a) as being unpatentable over Allen, et al. (US 6,000,505) and further in view of Caputo et al. (US 5,546,463).

The Response:

On Page 2 of the Office Action, the Examiner stated that:

Claims 21, 24-29 and 31 are now rejected over Allen and Caputo combination. Prior art, Allen, remains the primary art to teach and suggest the method of initiating a procedure within a building. However, Allen does not suggest virtual key includes the steps of assigning an encrypted code to the virtual key, and adding a signature to the virtual key. Hence, Caputo is combined with Allen to teach that it would have been obvious for a person of ordinary skills in the art at the time of the invention to generate a virtual key includes the steps of assigning an encrypted code to the virtual key, and adding a signature to the virtual key and transmitting the virtual key to at least one person because to identify the user and to ensure that an authorized user is in possession of the device so that the network or computer is accessible (Caputo - col.8, lines 40-67 and col.10, lines 1-15).

Applicant respectfully submits that there is no motivation to combine Allen with Caputo. As explained below, Allen doesn't generate a virtual key and Caputo has nothing to do with initiating a procedure within a building. Therefore, one of ordinary skill in the art would not have looked to the teachings of Caputo to modify the elevator system of Allen.

The invention as recited in independent Claim 21 includes a method of initiating a procedure within a building. The method comprises the steps of:

- a. defining at least one initiating event for the procedure which event does not involve a person arriving at the building;
- b. defining at least one security requirement for the procedure;
- c. defining at least one person to be authorized to perform the procedure;
- d. detecting the occurrence of the at least one initiating event wherein the at least one person does not define the at least one initiating event and does not cause the occurrence of the at least one initiating event;
- e. generating a virtual key for the at least one person based on the at least one security requirement upon detecting the occurrence of the at least one initiating event and prior to the at least one person arriving at the building, wherein the step of generating the virtual key includes the steps of assigning an encrypted code to the virtual key, and adding a signature to the virtual key;
- f. transmitting the virtual key to the at least one person using wireless devices;
- g. detecting use of the virtual key by the at least one person in the building;
- h. checking the validity of the virtual key, including identifying the at least one person as a recipient of the transmitted virtual key by the signature;
- i. initiating the procedure within the building if the validity check is positive wherein initiating the procedure consists of performing at least one of the steps of:
 - opening of at least one door of the building;
 - making at least one elevator available;
 - opening of at least one elevator door; and
 - release of any security barriers which may be present; and
- j. performing said steps a. through i. in an access control computer system associated with the building.

The invention as recited in independent Claim 31 includes substantially the same limitations as independent Claim 21, but further recites "defining . . . an availability requirement for the procedure" in step b. of the method.

Regarding Applicant's step "a", the Examiner stated that:

The claimed initiating event can broadly be interpreted as to begin or trigger a function or event. Allen defines the initiating event as an emergency or fire/smoke condition causing a signal (col.5, line 63 — col.6, lines 17) to a building security station, to a fire department, and to an alarm system to alert or alarm a fire/smoke so that procedure(s) is initiated accordingly (col.3, lines 3, lines 40-62 and col.4, lines 37-49). A procedure can broadly be given as opening/closing predetermined doors, operation of fire doors, sounding alarms, elevator functions, etc. (col.6, lines 50-64 and col.9, lines 25-30).

According to the Examiner, the "initiating event" is an emergency or fire/smoke condition and the "procedure" is opening/closing predetermined doors, operation of fire doors, sounding alarms, elevator functions, etc.

Applicant's step "b" recites "defining at least one security requirement for the procedure". The Examiner stated that Allen discloses this step at col.3, lines 52-62 and col.9, lines 25-30. However Allen is describing the automatic operation of fire doors, air conditioning systems, and the elevator control system. There is no mention in Allen of defining a security requirement for a procedure to be performed in the building by the authorized person.

Applicant's step "c" recites "defining at least one person to be authorized to perform the procedure". The Examiner identified the fire department as the "authorized person". However, the "procedure" of the opening/closing predetermined doors, operation of fire doors, sounding alarms, elevator functions, etc. is performed by the fire alarm/smoke detection system; not by the fire department. (Allen col. 3, lines 41-62)

Applicant's step "e" recites "generating a virtual key for the at least one person based on the at least one security requirement upon detecting the occurrence of the at least one initiating event and prior to the at least one person arriving at the building, wherein the step of generating the virtual key includes the steps of assigning an encrypted code to the virtual key, and adding a signature to the virtual key". The Examiner stated that "Allen does not suggest virtual key includes the steps of assigning

an encrypted code to the virtual key, and adding a signature to the virtual key and transmitting the virtual key to a person."

Allen does not generate a virtual key for use by the fire department upon detecting the occurrence of "an emergency or fire/smoke condition" or under any circumstance. The fire department is in possession of whatever it requires before the occurrence of "an emergency or fire/smoke condition". The Allen system does not require a virtual key and there is no motivation to add the Caputo virtual key.

Thus, Allen does not disclose Applicant's steps "b", "c" and "e" as recited in Claims 21 and 31 and, therefore, also does not disclose steps "f" through "j".

Step "f" of Applicant's Claims 21 and 31 also recites transmitting the virtual key to the at least one person utilizing wireless devices. The Examiner cited Caputo col. 3, lines 26-45 as describing this feature. However, the Caputo device 10 has no wireless capability. It transmits and receives data over a telephone line (col. 2, lines 23-25; Fig. 3).

Applicant further respectfully submits that there is no motivation to combine Allen with Caputo. Caputo has nothing to do with initiating a procedure within a building. Therefore, one of ordinary skill in the art would not have looked to the teachings of Caputo to modify the elevator system of Allen. For this additional reason, the rejections of the claims under 35 U.S.C. 103(a) should be withdrawn.


The Examiner included the U.S. Patent No. 6,581,042 issued to Pare et al. on the Notice of References Cited, but did not comment on it in the Detailed Action. Applicant reviewed this reference and found it to be no more pertinent than the prior art relied upon by the Examiner in the rejections.

It is submitted that the claims distinctly define Applicant's invention and distinguish the same from the art of record. A formal Notice of Allowance is respectfully requested. Should the Examiner deem that other language would be more appropriate, it is requested that a telephone interview be had with the Applicant's attorney in a sincere effort to expedite the prosecution of the application.

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Respectfully submitted,

SEP 14 2010



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